

The Gazette of India

EXTRAORDINARY
PUBLISHED BY AUTHORITY

NEW DELHI, WEDNESDAY, MARCH 19, 1947

GOVERNMENT OF INDIA

LEGISLATIVE DEPARTMENT

New Delhi, the 19th March, 1947

ORDINANCE No. IV OF 1947

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ORDINANCE

to confer certain special powers upon officers of the armed forces in certain disturbed areas of the Punjab

WHEREAS an emergency has arisen which makes it necessary to confer certain special powers upon officers of the armed forces in certain disturbed areas of the Punjab;

Now, THEREFORE, in exercise of the powers conferred by section 72 of the Government of India Act, as set out in the Ninth Schedule to the Government of India Act, 1935, the Governor 26 Geo. 5, c. 2. General is pleased to make and promulgate the following Ordinance:—

1. (1) This Ordinance may be called the Punjab Disturbed Areas (Special Powers of Armed Forces) Ordinance, 1947. *Short title, extent and commencement.*

(2) It extends to the whole of the Punjab.

(3) It shall come into force at once.

2. Any commissioned officer, warrant officer or non-commissioned officer of His Majesty's military or air forces may, in any area for the time being declared by notification under section 3 of the Punjab Disturbed Areas Act, 1947, to be a disturbed area,— *Special powers of* *Punjab Act I of*

(a) exercise the powers conferred by section 5 of 1947. *the said Act upon a police officer not below the rank of Assistant Sub-Inspector;*

(b) arrest without warrant any person who has committed a cognizable offence, or against whom a reasonable suspicion exists that he has committed or is about to commit a cognizable offence;

(c) enter and search, without warrant, any premises to make any such arrest as aforesaid, or to recover any person believed to be wrongfully restrained or confined, or any property reasonably suspected to be stolen property, or any arms believed to be unlawfully kept, in such premises.

Protection of persons acting under this Ordinance. **3** No prosecution, suit or other legal proceeding shall be instituted, except with the previous sanction of the Central Government, against any person in respect of anything done or purporting to be done in exercise of the powers conferred by section 2.

WAVELL,
Viceroy and Governor-General.

G. H. SPENCE,
Secy. to the Govt. of India.